

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ANDREW B. DUNCAN,)
Petitioner,)
)
v.) 1:17-cr-106
)
UNITED STATES OF AMERICA,)
Respondent.)

ORDER

On May 8, 2019, United States Magistrate Judge Theresa Carroll Buchanan entered a Report and Recommendation ("Report") on this 28 U.S.C. § 2255 motion to vacate, set aside, or correct a sentence by a person in federal custody, recommending that the motion be denied.

Upon consideration of the record and the Report, to which no objections have been filed, and having found no clear error,¹

The Court ADOPTS, as its own, the findings of fact and recommendations of the United States Magistrate Judge, as set forth in the Report (Doc. 249).

Accordingly,

It is hereby ORDERED that plaintiffs' motion to vacate, set aside, or correct a sentence by a person in federal custody (Dkt. 225) is DENIED.

The Clerk is directed to provide a copy of this Order to petitioner and all counsel of record.

Alexandria, VA
June 11, 2019


T. S. Ellis, III
United States District Judge

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate's report, the court "need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'").